

**BEFORE THE**  
**Federal Communications Commission**  
**WASHINGTON, D. C. 20554**

RECEIVED

JUN 17 1996

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )  
)  
Petition for Rulemaking of )  
National Communications System in )  
the Matter of Cellular Priority )  
Access for National Security and )  
Emergency Preparedness )  
Telecommunications )

DOCKET FILE COPY ORIGINAL

and

The Development of Operational, )  
Technical, and Spectrum )  
Requirements for Meeting Federal, )  
State and Local Public Safety )  
Agency Communications Requirements )  
Through the Year 2010 )

WT Docket No. 96-86

To: The Commission

**COMMENTS OF**  
**THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT**  
**AND THE**  
**COUNTY OF LOS ANGELES, INTERNAL SERVICES DEPARTMENT**

The Los Angeles County Sheriff's Department and the County of Los Angeles, Internal Services Department (the "County") hereby submits the following comments in response to the above-captioned Petition for Rulemaking of the National Communications System ("NCS").

On April 18, 1996 the Commission released a Public Notice (DA 96-604) requesting comment regarding the NCS petition and its relationship to the issues in the above-captioned public safety rulemaking proceeding (WT Docket No. 96-86), where the Commission is exploring the need for

No. of Copies rec'd  
List ABCDE

019

additional public safety radio spectrum. The County supports the NCS Petition but does not believe that it should be considered as part of WT Docket 96-86.

**I. THE COUNTY SUPPORTS THE ADOPTION OF CELLULAR PRIORITY ACCESS RULES.**

The County supports the NCS petition as it assures state and local public safety personnel the same opportunities to initiate priority access to cellular service as their federal counterparts. This is important because local authorities are first to arrive on the scene of a wide-scale emergency or disaster. In those situations, federal, state and local authorities will greatly benefit from the proposed cellular priority access rules.

Blocked cellular calls have been a particular problem for Los Angeles County personnel in the immediate aftermath of major emergencies. This occurred in recent years after major brush fires, civil disturbances, and, in particular, after the Northridge earthquake. Other specific problems have included a County Fire Department Battalion Chief who was unable to secure a clear cellular line to reach the owner of burning building regarding hazardous materials at the site. Another potential problem concerns hostage situations where negotiators from the Sheriff's Department need clear cellular lines to communicate with the hostage taker. In these and other circumstances, priority access to cellular service could be the difference between life death.

The causes of cellular traffic jams are numerous, and are largely a function of the limited capacity inherent at each cell site. Cellular phone usage often peaks and overloads cell sites in the vicinity of major emergencies. A common problem is that members of the news media on the scene of an emergency event will keep scarce cellular phone lines open continuously. That blocks access by others, including public safety personnel.

Therefore, the County supports the proposals in the NCS Petition, as well as the comments of APCO and NENA, which suggest that calls from the general public to 9-1-1 also be given priority access over non-emergency service calls. This is becoming increasingly important as cellular phones now account for a significant portion of 9-1-1 calls.

**II. THE NCS PETITION SHOULD NOT BE PART OF THE PUBLIC SAFETY SPECTRUM PROCEEDING (WT DOCKET 96-86).**

While the County supports the NCS Petition, it cautions that cellular priority access alone does not have any significant impact on the critical spectrum shortages facing public safety agencies. Cellular service, even with priority access, can be no more than an adjunct to the capabilities of public safety agency owned and controlled radio communications systems. Thus, the County opposes inclusion of the cellular priority access issue in WT Docket 96-86, which addresses the separate issue of public safety radio spectrum requirements through the year 2010.

Cellular systems do play a role in many emergency response situations, especially for disaster relief operations such as those described in the NCS Petition. However, the County Sheriff's Department, Fire Department and other vital public safety operations face numerous major emergencies every day of the year. Cellular providers cannot be expected to push aside their customers on a daily basis to accommodate such public safety operations.

More importantly, cellular providers do not offer ubiquitous coverage throughout the far-reaching areas of Los Angeles County, and cannot offer the level of reliability and daily priority access necessary for operations that protect the safety of life and property. While so-called "cellular on wheels" operations can sometimes be set up after major emergencies, that takes time, a valuable commodity in any emergency situation. Cellular technology to date also continues to result in consistent outages and insufficient switching capabilities even in some of the most densely populated metropolitan areas. Indeed, grade of service on cellular service is often reduced during major emergencies due to peak usage levels. In addition, back-up battery life at cell sites is typically limited to eight hours, eliminating cellular as a viable communications tool during extended emergency situations that include lengthy power outages.

Commercial systems do not compare to the carefully constructed and highly reliable public safety systems in use today. For example, the County's communications systems are designed to provide clear signals in every corner of the County, including sparsely populated mountain valleys and deep inside buildings. The systems will withstand earthquakes and severe weather, and maintain sufficient capacity to accommodate peak demands during emergencies. Public safety and rescue personnel need the confidence that their communications will go through in an emergency situation. They have this confidence with the existing public safety communications systems in Los Angeles.

#### Conclusion

Priority access to cellular systems is vital to augment the County's public safety communications systems. Thus, the County supports the NCS Petition. However, the issue of cellular priority access should be considered in a separate proceeding, and not included in Docket 96-86.

Respectfully submitted,

LOS ANGELES COUNTY SHERIFF'S  
DEPARTMENT AND COUNTY OF LOS  
ANGELES, INTERNAL SERVICES  
DEPARTMENT

By: 

Robert M. Gurss  
WILKES, ARTIS, HEDRICK & LANE,  
Chartered  
1666 K Street, N.W. #1100  
Washington, D.C. 20006  
(202) 457-7329

Its Attorneys

June 17, 1996